

October 11, 2002

**Michael F. Altschul**

Senior Vice President for  
Policy and Administration and  
General Counsel

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
12<sup>th</sup> Street Lobby, TW-A325  
Washington, DC 20554

Re: *Ex Parte Presentation*  
CC Docket Nos. 99-200, 96-98

Dear Ms. Dortch:

On October 10, 2002, the Cellular Telecommunications & Internet Association ("CTIA") represented by Michael Altschul, Senior Vice President for Policy and Administration, Chris Guttman-McCabe, Director for Regulatory Policy and Lori Messing, Director of Numbering Issues, along with Anna Miller of T-Mobile, Andrea Cooper and Ann Hoskins of Verizon Wireless and Ben Almond of Cingular Wireless met with David Furth, Jared Carlson and Jennifer Salhus of the Wireless Telecommunications Bureau and Cheryl Callahan, Diane Griffin, Jennifer Gorny and Sanford Williams of the Wireline Competition Bureau.

At the meeting, CTIA reiterated the wireless industry's concern over the September 27, 2002, Petition of the California Public Utilities Commission ("CPUC"), which requested authority to implement a technology-specific overlay in the Los Angeles basin and Orange County areas, and the CPUC's subsequent decision to completely exclude wireless carriers from the October California number lottery.

First, CTIA discussed the serious impact that the CPUC's decision to exclude wireless carriers will have on the wireless industry in California. CTIA noted that no state has the authority to refuse to make numbers available, and that number rationing is not appropriate in a situation where the CPUC should have addressed area code exhaustion in the 310 and 909 area codes long ago. In addition, CTIA and industry representatives emphasized the fact that California wireless carriers have not had access to numbers since August, and were likely to run out of numbers during the busy holiday season if the Commission does not take immediate action to allow wireless carriers access to numbers in California.

Second, CTIA distributed an e-mail noting that ILECs intend to require wireless carriers to have a presence in every wireline rate center for wireline to wireless number portability. This requirement will increase wireless carrier number requirements, and will also contribute to number exhaustion in the 310 and 909 area codes.



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Third, the CPUC Petition to require a technology-specific overlay in the 310 and 909 area codes was discussed. Under the terms of the CPUC Petition, wireless users would be forced into a discriminatory overlay in a futile effort to prevent number exhaustion in the 310 and 909 area codes. In addition, three million wireless users would be subject to a number "take back" that would force them to reprogram their phones and create a discriminatory and disparate dialing pattern. CTIA also noted that the Commission has expressly disapproved of "take-backs" in connection with technology-specific overlay proposals. Accordingly, CTIA urged the Commission to immediately reject the CPUC Petition.

The attached PowerPoint presentation and e-mail were distributed at the meeting. Pursuant to Section 1.1206 of the Commission's rules, this letter is being filed with your office. If you have any questions regarding this submission, please do not hesitate to contact the undersigned.

Sincerely,

/s/ Michael Altschul  
Michael Altschul

**Attachment**

**cc: David Furth (via e-mail)**  
**Jared Carlson**  
**Jennifer Salhus**  
**Cheryl Callahan**  
**Diane Griffin**  
**Jennifer Gorny**  
**Sanford Williams**